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CITY OF YONKERS

DEPARTMENT OF HOUSING AND BUILDINGS

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AGENDA FOR ZONING BOARD OF APPEALS

May 28, 2021

PLEASE TAKE NOTICE:

THE CITY OF YONKERS ZONING BOARD OF APPEALS MEETING SCHEDULED FOR TUESDAY, JUNE 15, 2021 AT 5:00 P.M. WILL BE CONDUCTED IN A MANNER PURSUANT TO GOVERNOR CUOMO'S EXECUTIVE ORDER 202.1; IN-PERSON ATTENDANCE AT THIS MEETING WILL NOT BE PERMITTED.

PLEASE CHECK THE WEBSITE WWW.YONKERSNY.GOV, THE DAY OF THE MEETING FOR LOG-IN AND ADDITIONAL INFORMATION.

DECISIONS

5660 –Area Variance – James G. Dibbini Esq., on behalf of Nepperhan Heights Associates, LLC, owner, on premises known as **540 Nepperhan Ave**, Block 2179, Lot: 25, Zone: I (B20584)

5661 –Area Variance – James G. Dibbini Esq., on behalf of Nepperhan Heights Associates, LLC, owner, on premises known as **578 Nepperhan Ave**, Block: 2179, Lot: 5, Zone: I (B20596)

5724 – Area Variance – Andrew Romano, Esq., on behalf of Orchard Street LLC, owner, on premises known as **125 Orchard Street**, Block: 2174, Lot: 101, Zone: A (B22298)

5732 – Area Variance – Shahin Badaly, P.E., on behalf of Oluwatosin Shokeye, owner, on premises known as **45 Elizabeth Place**, Block: 3075, Lot: 104, Zone: T (B22555)

5746– Area Variance – Jacob Schofield, owner, on behalf of himself, on premises known as **17 Livingston Avenue**, Block: 163, Lot: 54, Zone: M (B24021)

5749– Improvement to a Non-Conforming Use – Andrew Romano, Esq., on behalf of CSAR Holding LLC, owner, on premises known as **782 North Broadway**, Block: 3021, Lot: 5, Zone: S-50 (B26664)

CONTINUED HEARINGS

5715 – Area Variance – Tom F. Abillama, R.A., on behalf of 1969 Central Park Avenue LLC, owner, to construct a self-storage center with retail on ground floor, having:

- *Exceeding maximum FAR. Ref. 43-27, Table 43-3 (required 1.5, proposed 2.13);*
- *Exceeding maximum building height. Ref. 43-27, Table 43-3 (required 48 ft., proposed 73.14 ft.);*
- *Insufficient rear yard. Ref. 43-27, Table 43-3 (required 25 ft., proposed zero ft.);*
- *Insufficient side yard. Ref. 43-27, Table 43-3. (required 25 ft. one side, proposed zero ft. one side);*
- *Parking in the minimum side-front yard not permitted. Ref. 43-133.A.(3);*
- *Parking in the minimum front yard not permitted. Ref. 43-133.A.(3);*
- *Insufficient retail store depth. Ref. 43-36.M.(1). (required 60 ft., proposed 28 ft. /- scaled);*
- *Insufficient loading zone spaces for self-storage warehouse. Ref. 43-36.M.(2). (required 7 for storage, proposed 2 for storage);*
- *Parking within 5 ft. of a property line not permitted. Ref. 43-44.B.(5)(proposed zero ft.);*
- *Insufficient parking aisle width. Ref. 43-134.A.12. (required 24 ft., proposed 20 ft. /- scaled);*
- *Refuse Area not permitted in side-front yard. Ref. 43-42.C.(1);*
- *Exceeding maximum height of retaining wall/building wall. Ref. 43-41.D.3.a. (required 6 ft., proposed 69 ft.);*

on premises known as **1969 Central Park Avenue**, Block: 4385, Lot: 206, Zone: BR (B19994)

#5716 – Improvement to a Non-Conforming Use – Gibbons Engineering, PC, on behalf of 687 Nepperhan Corp, owner, for 2nd floor interior alteration, including the removal of stairs and closing of stair opening, whereas:

- *Improvement to a non-conforming use requires Zoning Board of Appeals approval per Section 43-21G (residences in an industrial zone);*

on premises known as **687 Nepperhan Avenue**, Block: 2420, Lot: 12, Zone: I (B22644)

5727 – Area Variance – Andrew Maniglia of Ginsburg Development, on behalf of Pier LLC 70, owner, on premises known as **70 Pier Street**, Block: 146, Lot: 1.4, Zone: M (B24085)

5730 – Area Variance – James J. Veneruso, Esq., on behalf of 2700 Central Park Avenue Partners LLC, owner, on premises known as **2592 (2700) Central Park Avenue**, Block: 4877, Lot: 60, Zone: BR (B24536)

5740– Area Variance – Janet J. Giris, Esq., Esq., on behalf of N Broadway LLC, owner, on premises known as **316 North Broadway & 315 Palisade Avenue**, Block: 2155, Lot: 59 & 16, Zone: M (B22920)

5741– Improvement to a Non-Conforming Use & Area Variance – Jennifer Porter, Esq., on behalf of Silver Bell Company, owner, & JP Morgan Chase Bank, N.A., lessee, on premises known as **1222 Nepperhan Avenue**, Block: 3182, Lot: 15, Zone: I (B22243)

5743– Area Variance – David Steinmetz, Esq., on behalf of Miroza Tower LLC, owner, on premises known as **40 aka 44 Hudson Street**, Block: 502, Lot: 1.10, Zone: DWD (B26744)

5744– **Area Variance** – Andrew Romano, Esq., on behalf of Martin J. Loftus, Jr., owner, on premises known as **118 Kingsley Drive**, Block: 4412, Lot: 54, Zone: S-60 (B22712)

5745– **Area Variance** – Andrew Romano, Esq., on behalf of Croton Terrace Enterprises Inc., owner, on premises known as **14 Orchard Street**, Block: 2076, Lot: 17, Zone: MG (B22842)

5747– **Area Variance** – William S. Null, Esq., on behalf of Parkview Equities LLC, owner, on premises known as **15 Parkview Avenue**, Block: 5652, Lot: 43, Zone: A (B27258)

5748– **Area Variance** – Andrew Romano, Esq., on behalf of Smerlin Cuello, owner, on premises known as **212 Warburton Avenue**, Block: 2097, Lot: 60, Zone: M (B23151)

NEW HEARINGS

5736– **Area Variance** – James J. Veneruso, Esq., on behalf of 26 West 5th Street LLC, contract vendee, to construct a new 4 story, 24 unit residential rental apartment building with onsite parking, having:

- *Exceeding maximum permitted floor area ratio, Section 43-27, Table 43-3 (required 1.25, proposed 1.79);*
- *Insufficient side yard, Section 43-27, Table 43-3 (required 12'25", proposed 4'8");*
- *Insufficient front yard, Section 43-27, Table 43-3 (required 15', proposed 5');*
- *Insufficient rear yard Section 43-27, Table 43-3 (required 25', proposed 1.5');*
- *Exceeding Maximum permitted building coverage 43-27, Table 43-3 (required 40 %, proposed 84.42 %);*

on premises known as **83-94 Vineyard Avenue**, Block: 2170, Lot: 84 (78, 82), Zone: M (B23753)

5750– **Area Variance** – Randolph Carter, R.A., on behalf of The Church of Jesus Christ of Latter-Day Saints, owner, for construction of a church, having:

- *Insufficient side yard, Section 43-27, Table 43-3 and 43-35.C (required 50 ft., proposed 25 ft.);*
- *Insufficient side-front yard, Section 43-27, Table 43-3 and 43-35.C (required 50 ft., proposed 25 ft.);*
- *Insufficient front yard, Section 43-27, Table 43-3 and 43-35.C (required 50 ft., proposed 25 ft.);*
- *Parking within 5 feet of all property lines not permitted, Reference Yonkers Zoning Ordinance 43-44.A.9.b. (proposed 4' -4" on North side);*
- *Parking within 10 feet of a building on the same lot is not permitted, Reference Yonkers Zoning Ordinance 43-44.A.9.b. (proposed 6.0 ft.);*
- *Parking in the side-front yard not permitted. Ref. 43-138.A.(2). (spaces 1, 2, 3, 28, 29, 30, 27, 26, 25);*
- *Parking within 10 ft. of the right of way of a public street not permitted. Ref. 43-134.A.(4). (Proposed 3.5 ft. on the South driveways);*
- *Fences and walls, including retaining walls, must not exceed 4 feet in height in a required front yard setback or in any other required yard setback abutting a street and 6 feet in height within any other required yard setback (Reference Yonkers Zoning Ordinance 43-41.D.3.a) (proposed height Unknown);*
- *Exceeding maximum permitted steeple height. Ref. 43-35.C.(6). (required 48 ft. max, proposed height unknown);*

on premises known as **201 Glenwood Avenue aka 176 Park Avenue**, Block: 2161, Lot: 39, Zone: MG (B27042)

5751– **Non-Conforming Use** – Stephen A. Veneruso, Esq, on behalf of 155 Warburton Ave Realty LLC, owner, for the conversion of a building to a two family residence, whereas:

- *Change of use of a vacant building to a non-conforming in a CM zone requires a zoning variance;*

on premises known as **155 Warburton Avenue**, Block: 2099, Lot: 13, Zone: CM (B24278)

5752– **Area Variance** – Andrew Romano, Esq., on behalf of AR Consulting Engineer PC, owner, to construct a new two family dwelling, having:

- *Insufficient front-yard, Section 43-27, Table 43-3 (required 20 ft., proposed 9 ft.);*

on premises known as **50 Vineyard Avenue**, Block: 2078, Lot: 12, Zone: A (B23684)

5753– **Area Variance** – James G. Dibbini, Esq., on behalf of Monique Abrams, owner, for an addition to an existing one family dwelling, having:

- *Insufficient front yard setback. Ref. 43-27, Table 43-3 (required 29.50 ft., proposed 25.16 ft.);*

on premises known as **2 Stoneleigh Road**, Block: 4961, Lot: 47, Zone: S-100 (B26714)

OFF-AGENDA ITEMS

Case #5529	450 Walnut Street	Extension Request
Case #5692	1097 North Broadway	Extension Request
Case #5642	750 Central Park Avenue	Extension Request
Case #5637	25 Torre Place	Amend Condition


JOSEPH CIANCIULLI
CHAIRMAN, ZBA